UNITED NATIONS

E/NL. 1992/26-28
5 June 1992

SPANISH AND ENGLISH ONLY
ORIGINAL: SPANISH

LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE INTERNATIONAL TREATIES ON NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

In accordance with the relevant articles of the international treaties on narcotic drugs and psychotropic substances, the Secretary-General has the honour to communicate the following legislative texts.

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Communicated by the Government of Peru

NOTE BY THE SECRETARIAT

(a) Some editing of texts may be done by the Secretariat in the interest of clarity. In this connection, words in square brackets [ ] have been added or changed by the Secretariat.

(b) Only passages directly relevant to the control of narcotic drugs or psychotropic substances have been reproduced in this document. Non-relevant parts of laws and regulations have been deleted by the Secretariat; such deletions are indicated by [...].

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E/NL.1992/26

IMPORTER MANUFACTURERS AND WHOLESALERS OF CHEMICAL PRODUCTS AND INPUTS ARE OBLIGED TO PUBLISH ON A MONTHLY BASIS THE TYPE AND QUANTITY OF THE PRODUCTS OR INPUTS THAT THEY SELL

SUPREME DECREE NO. 185-91-EF

THE PRESIDENT OF THE REPUBLIC

CONSIDERING:

That Supreme Decree No. 059-82-EF of 17 February 1981 1/ established regulations for the purpose of controlling the marketing and use of chemical products or inputs of domestic origin or imported under other names and capable of being used for the preparation of drugs;

That with effect from 22 October 1984, Supreme Decree No. 456-84-EF 1/ amended articles 3, 5, 6 and 7 of Supreme Decree No. 059-82-EF, laying down the obligation for importer manufacturers and wholesalers who engage in the marketing of this type of product or input;

That Supreme Decree No. 005-90-EF of 6 January 1990 2/ amended articles 2 and 11 of Supreme Decree No. 059-82-EF, bringing up to date the list of controlled chemical products or inputs;

That notwithstanding the various provisions affecting such chemical products or inputs it is necessary to exercise greater control over their marketing, for which reason the corresponding provision must be established to that effect:

In application of the contents of article 211.11 of the Political Constitution of Peru, and,

Standing by what has been agreed,

DECREES:

Article 1. With effect from today, importer, manufacturers and wholesalers of the chemical products and inputs referred to in article 3, as amended, of Supreme Decree No. 058-84-EF shall be obliged to publish a monthly list containing the type and quantity of products or inputs that they sell, with the name of the enterprise or person who acquires them.

Article 2. Supreme Decrees Nos. 059-82-EFC, 456-84-EF and 005-90-EF, in as much as they do not violate the provisions of this Supreme Decree, shall remain in force with full effect.

Article 3. Non-compliance on the part of the importer manufacturers and wholesalers of chemical inputs or products shall be penalized by a fine equivalent to 15 times the minimum wage in Lima Province.

Article 4. This Supreme Decree shall enter into force on the day of its publication and shall be approved by the Ministers of Industry, Internal Trade, Tourism and Integration and of Economic Affairs and Finance.

Done at Government House, Lima, on the thirteenth day of August one thousand nine hundred and ninety-one.

ALBERTO FUJIMORI FUJIMORI	Constitutional President of the Republic.
VICTOR JOY WAY ROJAS	Minister of Industry, Internal Trade, Tourism and Integration.
JAIME YOSHIYAMA TANAKA	Minister of Transport and Communications, in charge of Economic Affairs and Finance.

E/NL.1992/27

AMENDMENT OF THE TERMS OF ARTICLES 1 AND 3
OF SUPREME DECREE NO. 185-91-EF

SUPREME RESOLUTION NO. 825-91-ICTI/DM

THE PRESIDENT OF THE REPUBLIC

CONSIDERING:

That Supreme Decree No. 185-91-EF of 13 August 1991 laid down the obligation of importer manufacturers and wholesalers of controlled products and/or inputs capable of being used for the manufacture of drugs to publish a monthly list of their sales with the name of the enterprise or person who purchases them;

That it is necessary to establish the scope of the legal provisions mentioned and ensure successful control over the marketing of the chemical products and/or inputs referred to in article 2 of Supreme Decree No. 059-82-EF of 17 February 1982, 1/ and article 2 of Supreme Resolution No. 005-90-EF of 6 January 1990; 2/

In exercise of the power invested under article 211.11 of the Political Constitution of the State;

DECREES:

Article 1. The terms of articles 1 and 3 of Supreme Decree No. 185-91-EF shall be modified and the text shall read as follows:

"Article 1. With effect from today the producers, users and importers of and dealers in the chemical products and/or inputs referred to in article 2 of Supreme Decree No. 059-82-EF and article 2 of Supreme Resolution No. 005-90-EF shall be obliged to publish monthly in the Official Daily 'El Peruano', within a period of not more than ten (10) days following the end of each month, a list containing the type and quantities of production-sale, consumption, purchases and/or imports, purchase-sale and stocks in relation to their activity."

"Article 3. The persons referred to in article 1 of this Supreme Decree shall demonstrate that they have effected the relevant publication in the Official Daily 'El Peruano' at the time of submitting the information required under article 5 of Supreme Decree No. 059-82-EF, as amended by article 5 of Supreme Decree No. 456-84-EF.

Failure to make and demonstrate the relevant publication shall be penalized by a fine equivalent to 15 times the minimum wage in the province of Lima."

Article 2. This Supreme Decree shall enter into force on the day of its publication and shall be approved by the Ministers of Industry, Internal Trade, Tourism and Integration and of Economic Affairs and Finance.

Done at Government House, Lima, on the twenty-sixth day of September one thousand nine hundred and ninety-one.

ALBERTO FUJIMORI FUJIMORI	Constitutional President of the Republic.
VICTOR JOY WAY ROJAS	Minister of Industry, Internal Trade, Tourism and Integration.
CARLOS BOLOÑA BEHR	Minister of Economic Affairs and Finance.

E/NL.1992/28

APPROVAL OF THE FORM USED FOR PROVIDING
MONTHLY INFORMATION ON CHEMICAL INPUTS

MINISTERIAL RESOLUTION NO. 407-91-ICTI/IND

Lima, 26 November 1991

CONSIDERING:

That Supreme Decree No. 185-91-EF of 13 August, as amended by Supreme Decree No. 025-91-ICTI/DM, laid down the obligation of producers, users and importers of and dealers in the controlled chemical products and/or inputs capable of being used for the manufacture of drugs, to publish a monthly report containing the type and quantities of production-sale, consumption, purchase and/or import, purchase-sale and stocks, in relation to their activity;

That it is necessary to draw up the form to be used for the fulfilment of the above-mentioned obligation;

In conformity with the provisions of article 1 of Supreme Decree No. 185-91-EF, as amended by Supreme Decree No. 025-91-ICTI/DM;

RESOLVES:

Single article. To approve the form that is an integral part of this ministerial resolution and which shall be used by manufacturing plants and consumers, importers and dealers in the controlled chemical products and/or inputs capable of being used in the manufacture of drugs, in order to effect the publication established in Supreme Decree No. 185-91-EF and amendments thereto.

For registration and communication

VICTOR JOY WAY ROJAS, Minister of Industry, Internal Trade, Tourism and Integration.

MONTHLY INFORMATION ON CHEMICAL INPUTS

(1) CODE OF ENTERPRISE

(2) Products/ Inputs	(3) Unit of measurement	(4) Local purchase	(5) Import	(6) Production	(7) Consumption	(8) Sales	(9) Stocks

(1) Code issued by the DGI/VM-IND:DG, Abastecimiento/VM-CI
(2) Name of product and/or input
(3) Units referred to the decimal metric system
(4) Local purchase of product and/or input
(5) Import of product and/or input
(6) Production of input
(7) Self-consumption and/or consumption
(8) Sale of product and/or input
(9) Stocks

Notes by the Secretariat

1/ E/NL.1985/96.

2/ E/NL.1990/13.